

U.S. DEPARTMENT OF COMMERCE PATENT & TRADEMARK OFFICE

B/O Form PTO-1390		Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 USC 371		Attorney's Docket Number BREI3003/FJD	
				U.S. Application Number (if known) 10/537,542	
International Application Number		International Filing Date		Priority Date Claimed	
PCT/EP2003/013542		02/Dec/03		Dec. 4, 2002	
Title of Invention					
Method for after-run amount regulation in filling units					
Applicant(s) for DO/EO/US					
Hartmut Breithaupt					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items under 35 USC 371:					
<ol style="list-style-type: none"> 1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 USC 371. 2. <input checked="" type="checkbox"/> This is a THIRD submission of items concerning a filing under 35 USC 371. 3. <input type="checkbox"/> This express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 USC 371(b) and PCT Articles 22 and 39(1). 4. <input type="checkbox"/> The U.S. has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed 35 USC 371(c)(2). <ol style="list-style-type: none"> a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> A translation of the International Application into English (35 USC 371(c)(2)). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 USC 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 USC 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 USC 371(c)(4)). (<input type="checkbox"/> Executed <input type="checkbox"/> Unexecuted) 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 USC 371(c)(5)). <p>Items 11 to 16 below concern other document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and U.S.C. 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> Priority is claimed for German application no. 102 56 878.2 with a filing date of Dec. 4, 2002. 20. <input checked="" type="checkbox"/> Other items or information: Copy of the Notification of Defective Response 					

Application Number (if Known) 10/537,542		International Application Number PCT/EP2003/013542		Attorney's Docket Number BREI3003/FJD	
				Calculations	PTO USE ONLY
21. The following fees are submitted:					
☑ a) Basic national fee \$300.00					
☑ b) Examination fee \$200.00					
☑ c) Search Fee \$500.00					
TOTAL OF ABOVE CALCULATIONS = \$1,000.00					
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fractions thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fractions thereof (round up to a whole number)	RATE		
- 100 =	/50=		x \$250.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER	NUMBER EXTRA	RATE		
Total Claims	7 -20 =		x \$50.00		
Independent Claims	1 -3 =		x \$200.00		
Multiple Dependent Claims (if applicable)			+ \$360.00		
TOTAL OF ABOVE CALCULATIONS					
<input type="checkbox"/> Reduction by ½ for filing by small entity, if applicable. Small Entity Status is asserted pursuant to 37 CFR 1.27 for this application.					
SUBTOTAL					
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	130.00
TOTAL NATIONAL FEE					
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.					
TOTAL FEES ENCLOSED				\$	130.00
12/06/2006 MKAYPAGH 00000051 10537542			Amount to be:	Refunded:	
01 FC:1617				Charged:	

- a. ☑ A check in the amount of \$130 to cover the fees is enclosed.
- b. ☐ Please charge my **Deposit Account Number 02-0200** in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☑ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to **Deposit Account Number 02-0200**. A duplicate copy of this sheet is enclosed.


Note: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

23364

Customer Number
Phone: (703) 683-0500

DATE: Dec. 6, 2006

Respectfully submitted,



Felix D. Ambrosio
Attorney for Applicant
Registration Number: 25,721



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/537,542	Hartmut Breithaupt	BREI3003/FJD

INTERNATIONAL APPLICATION NO.

PCT/EP03/13542

I.A. FILING DATE	PRIORITY DATE
12/02/2003	12/12/2002

23364

BACON & THOMAS, PLLC
 625 SLATERS LANE
 FOURTH FLOOR
 ALEXANDRIA, VA 22314

Date 12/5/06 Atty FJD
 Action Due Response
 Deadline 1/1/07
 Final Deadline 1/1/07
 Based on _____

CONFIRMATION NO. 4804

371 FORMALITIES LETTER



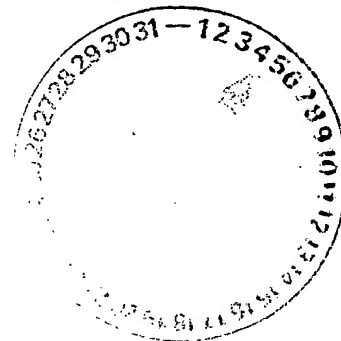
OC000000021431882

Date Mailed: 12/01/2006

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 06/03/2005
- English Translation of the IA filed on 03/31/2006
- Copy of the International Search Report filed on 06/03/2005
- Preliminary Amendments filed on 03/31/2006
- Information Disclosure Statements filed on 03/31/2006
- Oath or Declaration filed on 03/31/2006
- Request for Immediate Examination filed on 06/03/2005
- U.S. Basic National Fees filed on 06/03/2005
- Priority Documents filed on 06/03/2005
- Power of Attorney filed on 03/31/2006
- Specification filed on 03/31/2006
- Claims filed on 03/31/2006
- Drawings filed on 03/31/2006



Applicant's response filed 03/31/2006 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 02/14/2006 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Processing fee of \$130 for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(i)).

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

- \$130 for English translation surcharge not received in full.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

DEBORAH D WILLIAMS

Telephone: (703) 308-9140 EXT 205

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/537,542	PCT/EP03/13542	BREI3003/FJD